

## We will not be holding a Spring Business Meeting this year. We know that everyone is anxiously awaiting information concerning the proposed regulations. Here is an update on what we know.

We've been getting a lot of calls from anxious directors asking how they are going to implement some of the regulations were put in place by the Healthy, Hunger-Free Kids Act of 2010. We are providing guidance to local education agencies (LEAs) as we receive it.

Many of you were not in your positions the last time significant changes were made to our program, 15 years ago. Those of us who were know that change in our program does not happen quickly. Although the law contains many provisions that will require us to change operations, we will also need significant guidance to tell us exactly how to implement the changes.

The meal pattern will change. Proposed regulations that describe the changes have been released, although the pattern may change slightly due to comments received on the proposed regulations.

Schools using nutrient-standard menu planning will need to transition to food-based menu planning. Schools may want to continue to perform nutrient analysis of the food-based pattern to assure that meals meet the calorie, saturated fat, trans-fat and sodium requirements. Some nutrient analysis software includes a food-based production record. The regulations require the state agency to perform a nutrient analysis, but the USOE has not yet received guidance to tell us whether we may use the LEAs analysis and validate the data entry.

"Offer versus serve" will change under the new meal patterns. Staff members will need to be retrained to recognize a reimbursable meal. The state agency will be working to provide training materials to facilitate this change.

The law provides an incentive of .06 cents, begin-

ning no earlier than 10-1-2012, for schools showing compliance with the new patterns. We have not received guidance to say how schools will be certified by the state agency to receive the funding. That said, schools that have made the transition to the new meal patterns by then will stand a better chance at certification than those that have not.

It will be very important for schools to use direct certification to qualify children for free meals without the family having to complete an application. To assist with this process, we are working to have the Student Information System (SIS) match enrollment data with the list of eligible children from the Department of Workforce Services. If your school does not use SIS, we will still provide the list of eligible students through the agency's secure web site. Schools not using SIS will need to contact the school's computer services department and ask them to match the data with school enrollment. All schools will need to prove they use direct certification in preference to paper applications for families who qualify for free meal benefits categorically.

Finally, we've received many calls regarding the part of the law that deals with equity in meal prices. The guidance we've received so far says that if average district prices are below \$1.99 for a paid meal (that's federal free reimbursement minus paid reimbursement and minus state funding), schools may have to increase their prices by "5 cents or not at all." No penalty for not raising prices for the next school year has been described in any of the guidance. Some districts have already set next year's prices (our guess is that this is why the guidance allows "or not at all," but we don't know for sure). This issue was a focus of the School Nutrition Association's talking points for Congress at the Legislative Action Conference, so there will undoubtedly be more information to come on this issue.